

**HB 1717 — Agriculture**

by Agriculture Committee and Rep. Stansel (CS/CS/CS/SB 858 by Judiciary Committee; Environmental Preservation Committee; Agriculture Committee; and Senator Smith)

This bill addresses various issues related to agriculture and the powers and duties of the Department of Agriculture and Consumer Services. The bill:

- Clarifies that the regulation of bison for food or agricultural purposes is within the jurisdiction of the Department of Agriculture and Consumer Services and the regulation of the display or exhibition of bison is within the jurisdiction of the Fish and Wildlife Conservation Commission.
- Revises the membership of the Florida Agriculture Center and Horse Park Authority.
- Clarifies the value for purpose of assessment for ad valorem taxes of certain property leased by the department.
- Provides criteria for the department to investigate complaints.
- Establishes an environmental stewardship program which agricultural producers could voluntarily join.
- Defines the term “invasive plant.”
- Requires special permits for persons wishing to engage in biomass plantings.
- Revises provisions regarding civil liability for prescribed burns.
- Authorizes the department to continue to use its own on-line procurement system and additionally requires vendors to be prequalified as meeting mandatory requirements and qualifications.
- Insures that uniform standards are used in food inspection, regulations and fines throughout the state.

If approved by the Governor, these provisions take effect July 1, 2005.

*Vote: Senate 39-0; House 116-0*

## **HB 1231 — Agricultural Products Dealers**

by Agriculture Committee and Reps. Poppell, Stansel, and others (CS/SB 1780 by Judiciary Committee and Senator Smith)

This bill makes changes to the Florida License and Bond Law to enable the license and bond program to better serve Florida's agricultural industry and to make the program more self-sufficient. The bill:

- Adds, revises, and clarifies several definitions to better fit today's agriculture industry and its practices.
- Removes tropical foliage from the list of exemptions and adds timber and timber by-products.
- Requires every dealer in agricultural products to provide the mailing address of the dealer's primary location prior to engaging in business and to notify the department of any changes in the address of the primary location; also, to provide the mailing address of all principals.
- Increases the maximum license fee from \$300 to \$500.
- Increases the maximum license fee for additional locations from \$50 to \$100.
- Clarifies the conditions under which a complaint may be filed against a dealer in agricultural products.
- Increases the minimum amount for filing a complaint from \$250 to \$500 and requires the complainant to pay a \$50 filing fee to the department. If the complainant is successful in proving the claim, the \$50 is reimbursed.
- Increases the maximum fine for violation of any of the law's provisions from \$1,000 to \$2,500.
- Increases the continuing violation fine from \$50 to \$100 per day.
- Increases the late payment penalty from "not to exceed \$35" to "not to exceed \$100."
- Provides expenditure authority in the amount of \$285,000 for 4 FTEs to implement this act during FY 2005-2006.

If approved by the Governor, these provisions take effect October 1, 2005.

*Vote: Senate 39-0; House 115-0*

### **HB 643 — Sales Tax Exemption/Farm Equipment**

by Rep. Bowen and others (CS/SB 696 by Government Efficiency Appropriations Committee and Senators Smith, Haridopolos, Fasano, Argenziano, and Bullard)

The bill deletes the statutory definition for self-propelled, power-drawn and power-driven farm equipment and creates a new definition for “power farm equipment” and exempts such equipment from sales tax.

It is estimated that this will save purchasers of such equipment approximately \$12.2 million annually.

If approved by the Governor, these provisions take effect July 1, 2005.

*Vote: Senate 39-0; House 112-0*

### **SB 292 — Citrus Canker Eradication**

by Agriculture Committee and Senator Dockery

This bill (Chapter 2005-26, L.O.F.) will save from automatic repeal the definition of the term “exposed to infection” as it pertains to the Citrus Canker Law. It follows a statutorily required legislative review.

In September 1995, citrus canker disease was discovered in a residential area near the Miami International Airport. Initial surveys showed that an area of about 50 square miles contained many citrus canker infected trees. Since the discovery, much has transpired as the Citrus Canker Eradication Program (CCEP) has worked to protect the state’s citrus trees and the citrus industry.

Based upon scientific research by Dr. Timothy Gottwald, a scientist of the United States Department of Agriculture (USDA), the term “exposed to infection,” was more clearly written in statute by the Legislature in the 2002 Regular Session to mean “citrus trees located within 1,900 feet of an infected tree.” Additionally, the Legislature provided for a repeal of the definition, effective July 1, 2005, with a mandatory review by the Legislature prior to that date.

Citizens in the eradication zone challenged the constitutionality of the eradication program with filings in the state’s courts. The Florida Supreme Court found the Citrus Canker Law to be constitutional, including the definition of “exposed to infection.”

These provisions became law upon approval by the Governor on April 14, 2005.

*Vote: Senate 37-0; House 105-8*

### **SB 516 — Citrus Department/Districts**

by Senators Alexander and Haridopolos

This bill (Chapter 2005-6, L.O.F.) increases the number of citrus districts in the state from three to four. It reduces the commission members for each district from four to three so that the total commission membership remains constant at twelve. It assigns citrus producing counties to citrus districts based upon production during the prior 5-year period. This complies with the legislative intent that commission redistricting take place every 5 years.

These provisions were approved by the Governor and take effect July 1, 2005.

*Vote: Senate 37-0; House 115-0*

### **SB 574 — Official Fruit of Florida**

by Senators Haridopolos and Posey

This bill designates the orange (*Citrus sinensis* and hybrids thereof) as the official state fruit.

Chapter 15, F.S. designates official state emblems. Currently, there are designations for a state tree, beverage, citrus archive, shell, stone, gem, wildflower, play, animal, freshwater fish, saltwater fish, marine mammal, saltwater mammal, butterfly, reptile, air fair, rodeo, festival, moving image center and archive, litter control symbol, pageant, opera program, renaissance festival, railroad museums, transportation museum, soil, fiddle contest, band, and sports hall of fame.

The Florida citrus industry generates more than \$8 billion in economic activity in the state and employs over 100,000 people in the industry or related businesses. As of 2002, there were over 600,000 acres of orange groves in the State of Florida and over 85,000,000 orange trees. Total orange production in 2002 was over 200,000,000 boxes.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 40-0; House 117-0*

### **HB 255 — Rabies Vaccination**

by Rep. Russell and others (CS/SB 898 Health Care Committee and Senators Rich and Wilson)

This bill revises requirements for the frequency of rabies vaccinations for dogs, cats and ferrets four months of age or older. The bill:

- Would require each dog, cat, and ferret to have a revaccination 12 months after the initial vaccination. Thereafter, revaccination requirements would conform to the vaccine manufacturer's direction.

- Provides that evidence of circulating rabies-virus-neutralizing antibodies may not be used as a substitute for current vaccination in managing rabies exposure or determining the need for booster vaccinations.
- Requires each agency and veterinarian to use Form 51 “Rabies Vaccination Certificate,” of the National Association of State Public Health Veterinarians or an equivalent form approved by the local government which contains all the information required by Form 51.
- Prohibits local governments from establishing requirements that would mandate revaccination of currently vaccinated animals, except for instances involving the post exposure treatment of rabies.

If approved by the Governor, these provisions take effect January 1, 2006.

*Vote: Senate 40-0; House 110-0*